

REMARKS

Claims 1 and 8-25 are pending upon entry of the current amendment.¹ Claims 13 and 18 are currently amended and Claims 23-25 are newly added. Support for the foregoing amendment can be found throughout the specification and claims as originally filed, for example, at page 16, line 17 - page 17, line 24; page 72, line 25 - page 73, line 6; page 74, line 1 - page 88, line 17; page 91, lines 3-8; page 92, lines 10-12; and Table 2. No new matter enters by way of the foregoing amendment.

At the outset, Applicants would like to thank the Examiner for indicating that the claims satisfy the utility requirement under 35 U.S.C. § 101. Office Action at pages 1 and 2. Applicants would also like to thank the Examiner for indicating that Claim 1 is allowable.

I. Interview Summary

Applicants submit the following summary of the interview conducted on Tuesday August 26, 2008. Applicants' representatives thank the Examiner for extending the courtesy of an interview. Applicants particularly appreciate the Examiner's guidance during the interview and have adopted her suggestions.

In Attendance:

Examiner: Jeanine Goldberg

Applicants' representatives: David Marsh and David Vanik

1) Exhibits:

None.

2) Claims Discussed:

All pending claims as submitted on June 5, 2008 were discussed, Claims 1 and 8-22.

3) Cited Art Discussed:

None.

4) Amendments discussed:

Amendments to Claims 13 and 18 were discussed.

¹ Applicants' understanding that Claims 12-22 are entered is based on the August 26, 2008 interview. If this is incorrect, Applicants encourage the Examiner to contact the undersigned.

5) Summary of Arguments:

Applicants' representatives respectfully stated that the claim rejections under 35 U.S.C. § 112, First Paragraph (Enablement) and 35 U.S.C. § 112, First Paragraph (Written Description) should be withdrawn. The Examiner agreed that the Written Description rejection regarding Claims 8-11 should be withdrawn. Applicants' representatives and the Examiner discussed the Examiner's concerns regarding enablement. The Examiner made a number of helpful suggestions and also indicated that she would consider new claims directed to substantially purified nucleic acid molecules, seeds, and plants comprising positions 28572-30174 of SEQ ID NO: 7212.

6) Other Matters:

None.

7) General Result:

While no final agreement was reached, Applicants' representatives again thank the Examiner for her direction and guidance presented during the interview. To facilitate prosecution, Applicants have added new claims as recited in the instant Supplemental Response to incorporate the Examiners' suggestions.

CONCLUSION

Each of the presently pending claims is believed to be in condition for allowance. The Examiner is encouraged to contact the undersigned at (202) 942-5068 should any additional information be necessary for allowance.

Respectfully submitted,

/David R. Marsh/

David R. Marsh (Reg. No. 41,408)

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